

Attachment #1

GUIDELINES FOR WORKFORCE INVESTMENT BOARDS

Overview

On May 12, 1995, the Governor signed Executive Order 36 which formally established local Workforce Investment Boards (WIBs) as an integral part of New Jersey's workforce investment system.

WIBs plan and coordinate existing federal, state and local workforce investment policies and programs into a One-Stop system that can deliver needed services in response to the local and regional labor market. The One-Stop system brings together all workforce investment programs and services in concert with the State's overall economic development strategy so that all applicable resources are combined and each of the One-Stop partners contributes to the fullest.

In New Jersey, Workforce Investment Boards established under Executive Order 36 are considered as Workforce Investment Boards as required by the federal Workforce Investment Act of 1998.

Workforce Investment Boards are local partnerships of private and public sector participants that will provide coordinated planning, policy guidance and oversight for all workforce investment programs in their designated area. The local plans they produce are consistent with the State's overall *A Unified State Plan for New Jersey's Workforce Readiness System* developed by the State Employment and Training Commission. WIBs fulfill the next logical step in the implementation of a state-based, locally delivered workforce investment system. That step is being taken based on the core principles of New Jersey's workforce investment policies. They are:

- A successful system must be consumer-based and market-driven and, therefore, relevant to the needs of the employer;
- The true measures of success of the workforce development system must be the duration of employment and the wages paid to the graduates of programs;
- Attainment of fundamental levels of literacy and basic skills lies at the heart of the workforce investment system; and,
- There must be full utilization of all potential workers.

WIBs do not operate programs or approve expenditures. They do, however, influence both program management and resource allocation by analyzing local needs and opportunities and then coordinating federal, state and local resources to achieve defined goals under the WIB plan. Although WIBs influence the allocation of funding, each participating department of government will maintain statutory responsibility for its programs under existing federal, state and local statutes and regulations.

The WIBs serve as a mechanism to communicate local priorities to responsible state and local governmental agencies to influence the allocation of workforce investment resources. At the core of this system of shared authority is a partnership among the various levels of government, the public and private sectors and citizens to develop a common approach, creating a world class workforce investment system for New Jersey.

WIBs are responsible for developing a local system that reflects the needs of both local employers and job seekers. Given the enormity of this responsibility, WIBs must be able to draw on a wide array of talent to bring about the most creative and innovative methods for meeting this challenge. Therefore, WIBs must be diverse groups that represent the characteristics of the local area. Appointments to the WIB should be made with particular attention to gender, race and ethnicity as Chief Elected Officials seek qualified individuals from the community.

WIB Responsibilities

Specific responsibilities, including those in Executive Order 36, section 6, are to:

- Assess the labor market and develop a local strategic plan to optimize federal, State and local workforce investment resources within their boundaries;
- Address the concerns of traditionally marginalized populations such as women and minorities, who constitute the majority of new entrants to the workforce by developing specific plans and activities to serve these populations;
- Act to influence both program management and resource allocation by analyzing local needs and opportunities and coordinating federal, state and local resources to achieve defined goals;
- Design a consolidated workforce investment plan to replace the current separate plans developed for each applicable federal, state and locally funded program; and,
- Establish a marketing and development strategy to ensure the local community is aware of the purpose and functions of the Workforce Investment Board.

In addition, WIBs are responsible for fulfilling those duties outlined by the Workforce Investment Act of 1998 for local workforce investment boards.

WIB Membership

The WIB is an alliance between the public and private sectors with an emphasis on business leadership. Testimony at public hearings was instrumental in developing this inclusive design for WIB membership. A majority of WIB members are drawn from the private sector and a minimum of 15% are from organized labor and community-based organizations. To fulfill the membership requirements, WIBs are permitted to assign dual roles to individual members who fit more than one membership category. WIBs

may confer honorary or special membership status on individuals whose participation would enhance the WIB. This may include, but not be limited to, members who formerly represented a specific organization, but no longer officially fulfill that role.

The chief elected official of each area, with full consideration of the needs of the municipalities they represent, appoints WIB members for terms which are both fixed and staggered. Continued membership is subject to reconsideration. Chief elected officials are encouraged to participate in WIB meetings in order to more fully develop, strengthen and enrich the partnership between themselves and the WIBs. At the discretion of the local area, chief elected officials may take the further step of appointing themselves or their representative to the WIB.

While the formal WIB membership is designed to offer representation to relevant agencies at the decision-making table, other interested parties may participate through the committee structure, work groups, task forces and other mechanisms provided by the WIB. Presidents of four-year colleges or universities and juvenile justice representatives, among others, should participate, whether on the WIB or one of its committees. It is important to remember that the WIB is a vehicle for establishing broad-based consensus at the local level. WIBs are expected to reflect the gender, race and ethnic composition of the customer community. A description of efforts to ensure such broad representation should be included with the submission of WIB membership lists to the State Employment and Training Commission for certification. The State Employment and Training Commission will certify WIB membership once every two years on behalf of the Governor.

The membership of the WIB will include:

- Business/Private Sector (majority of membership)
- Community-Based Organizations (including Faith-Based Organizations) & Organized Labor (minimum 15%, equally divided between the categories)
- The County Economic Development Agency or appropriate Municipal Economic Authorities
- County Vocational/Technical Schools
- County Superintendent of Schools
- County Board of Social Services
- Workforce New Jersey Manager¹
- Community or County College
- Local Human Services Advisory Council Director/Coordinator or Chair
- Representative from Vocational Rehabilitation
- One-Stop Operator
- Adult Education/Literacy Representative from either Local Education Agency sponsored or other major publicly funded programs
- Abbott School Superintendent, or where there is no Abbott School District, a Superintendent from a K-12 School system. A representative of the appropriate

¹ This individual represents Wagner-Peyser activities in the WIB area as well as Unemployment Insurance activities.

school district may substitute for the school superintendent.²

In an effort to achieve more diversity among appointees from public agencies, chief elected officials may choose to appoint an individual who has substantial policy-making authority within the organization or agency.

Business and industry sector (majority of membership):

Business members who are involved and committed to viewing the workforce system as a whole are necessary in the development of an effective, strategic workforce system design. The WIB gives businesses a forum where they can ensure that their workforce needs are met by a system that is market driven. The Chair of the WIB is selected from among representatives of the business community. Business membership should be drawn from the following groups:

- Owners, chief executives or chief operating officers of businesses, and other business executives with optimum policy-making or hiring authority,
- Private sector members of college and school boards,
- Personnel Managers or Human Resource Directors of major companies.

Business and industry (private sector) representatives on the board are selected by the chief elected official(s) after consulting with business organizations and community leaders in the area. Private sector members must represent the industrial and demographic composition of the business community. Whenever possible, at least one-half should be from small business (500 employees or less) including minority and women owned business. Representatives of proprietary schools may not be selected as business members of the WIB.

Organized labor and Community-Based Organizations (minimum 15 % to be equally divided between the categories):

Labor representatives on the board are selected from individuals recommended by recognized state and local labor federations. Efforts are to be made to select individuals who have been active in apprenticeship programs, including the Apprenticeship Advisory Committee and individuals who serve in an advisory capacity for College or School Boards. The Community Action Agency must be included in this category.

Representatives from Community-Based Organizations including Faith-Based Organizations should exemplify the population of the area and serve the needs of special populations, such as:

- Organizations serving individuals with disabilities

² It is expected that the County Superintendent of School will work with the WIB to develop a process for selecting the appropriate individual in those areas where there are multiple Abbott District. The WIB may, with the concurrence of the County Superintendent of Schools, develop a special Abbott District or K-12 advisory committee to the WIB that can substitute for formal membership on the WIB.

- Adult literacy groups
- Community Action Agencies
- Displaced Homemaker Centers
- Veterans' Organizations

Continuous membership requires renomination at the expiration of a representative's term on the WIB.

Other Individuals:

The chief elected official has the right to appoint other individuals or representatives of entities or other providers of education, employment and training services as they may determine to be appropriate. Chief elected officials may wish to consider appointments from agencies concerned with housing, transportation, child care and other related issues. Where applicable, it may also be appropriate to consider including individuals responsible for the administration of urban enterprise zones.

The State and Employment Training Commission (SETC) will review and the Commissioner of Labor will approve the composition of each WIB. The approval process will allow for flexibility in the specific membership arrangements decided at the local level.

City-Based WIBs:

To meet the membership requirements of the WIB, city-based WIBs must include representatives from the County College, the County Superintendent of Schools and the Vocational-Technical School as well as any other required membership from a county-based entity.

Multi-County WIBs:

To meet the membership requirements of the WIB, it may be necessary for multi-county entities to rotate membership among specific institutions and programs. However, the county college, the County Superintendent of Schools and the vocational-technical School from each county within the WIB geographic area must be represented. To assure the broad-based participation that WIBs require, functional committees related to specific industries may be utilized.

WIB Organization

The WIB must have the following two committees:

Youth Councils: The Workforce Investment Act of 1998 requires each local WIB to establish a Youth Council. Guidelines for the establishment of these councils, their mission and function are described in Attachment #2.

One-Stop Implementation Team: The local team must include a representative from each of the One-Stop partners as described in New Jersey's Implementation grant proposal and in the Workforce Investment Act. New Jersey required the establishment of One-Stop teams in 1997. These teams fulfill the need for representation on the WIB from each One-Stop partner and have the added effect of providing regular and consistent guidance to the local system. These individuals must be in positions with decision-making authority. Their purpose is to continue with the implementation of the One-Stop system, bringing all of the participants together at the local level. One-Stop teams are responsible for identifying the flow of services within the local system and for implementing a team approach to the management of the One-Stop system. While the team is responsible for providing continual oversight and evaluation, the purpose of these functions is to ensure continuous improvement of the system and enhance the quality of services to customers. Because of the composition of the team, it has unique authority to guide and direct the operations of the local system.

WIBs will create an organizational structure to fulfill their planning and workforce policy-making responsibilities in the following areas:

Leadership/Planning: Developing policy recommendations for the overall strategic workforce plan and ensuring continuity of the WIBs' mission in all areas.

Economic Development: Work closely with city, county and state economic development agencies, as well as business leadership, to develop policy recommendations which will coordinate and strengthen all economic development in the WIB area. This responsibility includes developing a strong partnership with local Business Service Representatives and other field staff from state agencies who are responsible for making direct contacts with local businesses.

Labor Market Information Exchange: Identify information available, identify information that is needed but not readily available, and develop a methodology to obtain the additional information, disseminate information to users of the system and develop a profile of current and future workforce skill needs. WIBs must also participate in the development of the State Employment Statistics program.

Marketing and Communications: Develop and implement a marketing strategy to clearly communicate the mission, goals and strategy of the WIB and the local One-Stop system to the community at large, in coordination with One-Stop marketing efforts.

Resource Analysis: Review all publicly-funded programs with the ultimate goal of collecting and analyzing sufficient data to direct funding to systems and programs where they will most effectively serve the customers of the workforce investment system.

Literacy: Review all literacy programs and services in the area and make recommendations to better serve the customers.

Other Responsibilities

Other responsibilities to be addressed by the WIB include: administrative functions to ensure that organizational requirements are met; capacity building to support the WIB in the development of staff expertise and member understanding of role and responsibility; a strategy to evaluate the current workforce investment system; and, a strategy for evaluation of how well programs meet the local labor market needs.

WIBs are currently responsible for planning and oversight of welfare-to-work activities. Specific guidelines were previously issued by the SETC regarding the establishment of welfare-to-work subcommittees, their composition and function. WIBs must continue to ensure that these responsibilities will be met under the WIB organizational structure.

WIBs are encouraged to establish subcommittees to deal with issues specific to an individual county or, where appropriate, of a municipality. These subcommittees can be formed, for instance, to respond to a particular county-based or city-based economic development issue that requires targeted workforce policies.

WIBs will impartially represent the interests of each participating agency while developing a system that gets resources to the people who need them. WIBs will have the responsibility of assessing the local labor market and examining programs carefully, to determine if they are relevant in today's job market. Customer service, common intake and assessment, uniform administrative procedures and performance standards, job counseling, mentoring, case management, skill assessment, ease of access and other issues are to be explored with full consideration of all local assets and performance.

Governance

As provided in Executive Order 36, sections 10 and 11, the Commissioner of Labor and Workforce Development will act on behalf of the Governor in areas related to workforce investment programs including requesting, accepting and directing the allocation of federal and state funds; assuring that the State is in compliance with all related federal laws and providing for corrective actions when necessary, and resolving disputes arising under these programs. The Commissioner will also coordinate activities with affected Departments, which will maintain statutory authority over programs within their jurisdiction.

Guided by Executive Order 36, section 13, the Commissioners of the Departments of Commerce and Economic Development, Community Affairs, Education, Human

Services and Labor will direct workforce investment resources under their auspices in a manner consistent with the development of a unified workforce investment system.

WIB membership composition will meet the guidelines developed by the SETC, which ensures representation from the local business, education, labor, economic development and training interests in the area. The WIBs will direct their efforts to the general oversight and coordination of all workforce investment programs within their jurisdiction.

WIB oversight of the local workforce investment system will be based on the consistency of local programming with the Unified State Plan and the WIB plan. WIBs will not directly allocate funds to individual programs.

The WIB will oversee the local system, including the One-Stop system, for problems and recommend corrective action. In the event the WIB is unable to resolve local problems, it will report these issues to the SETC. The SETC, through its Planning Committee, will report system performance to the Commissioner of the Department of Labor and Workforce Development and make recommendations for resolution.

Chief elected officials, working in partnership with WIBs, retain their responsibility for fiscal oversight and accountability. Established auditing procedures will continue to ensure that the larger WIB plan is fiscally responsible and efficient.

The involvement of County Government is vital to the success of the WIB system. County Government is responsible for administering a significant portion of the funding for the key workforce development agencies, most notably the county colleges and county vocational-technical schools as well as for welfare programs.

The Commissioner of Labor and Workforce Development will provide administrative support for the WIB system, while the SETC will provide state level policy guidance and best practices direction for each system.

There will continue to be State level monitoring and auditing of resources and evaluation of programs based on statutory responsibilities. The Commissioners and the SETC retain their statutory responsibility for any corrective action that may be necessary as prescribed by their respective statutes.

Dispute Resolution

WIBs must have a dispute resolution process to address issues prior to litigation. Appeals may be made directly to the Commissioner of Labor and Workforce Development. The Commissioner of Labor and Workforce Development will establish such procedures as are necessary to review the claims of an aggrieved party. Disputes concerning specific statutory programs continue to be subject to the procedures set forth in those programs.